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Security Council

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Letter dated 31 December 2012 from the Chair of the Security Council Committee established pursuant to resolution 1988 (2011) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1988 (2011) presenting its position on the recommendations contained in the second report of the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004) (see S/2012/971), which was submitted to the Committee in accordance with subparagraph (a) of the annex to the resolution 1988 (2011).

I should be grateful if the attached report could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Peter **Wittig**
Chair
Security Council Committee established
pursuant to resolution 1988 (2011)

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Recommendations contained in the second report of the Analytical Support and Sanctions Monitoring Team: position of the Committee

1. Introduction

1. On 2 November 2012, the Analytical Support and Sanctions Monitoring Team submitted its second report to the Committee established pursuant to resolution 1988 (2011).

2. The Committee would like to express its appreciation to the Monitoring Team for the quality work undertaken in fulfilment of its mandate. The sanctions regime established under resolution 1988 (2011) has made significant strides in the past 18 months to ensure that the 1988 (2011) Sanctions List is up to date and reflects the current threat to the Afghan-led peace and security posed by individuals and entities associated with the Taliban. The Monitoring Team has been central to that task and the Committee appreciates the dedication and hard work of its members.

3. The Committee welcomes the efforts of the Monitoring Team to identify options for improving the implementation and effectiveness of the sanctions measures. At the same time, the Committee wishes to express its appreciation for the constructive proposals provided by the Afghan authorities in its continued dialogue with the Committee and the Monitoring Team.

4. After a thorough examination of the second report of the Monitoring Team, the Committee would like to bring to the attention of the Security Council its position on recommendations contained therein. The present position paper aims to draw attention to those recommendations made by the Monitoring Team that were the subject of particular focus in the Committee. The Committee welcomes the continued efforts of the Monitoring Team to identify ways to improve the implementation and effectiveness of the sanctions measures. The Committee is of the opinion that all Member States should be made aware of the recommendations of the Monitoring Team and the position of the Committee on those recommendations.

2. 1988 (2011) Sanctions List

Criteria for listing

(paragraphs 4 and 5 of the report)

5. The Committee notes the decision of the Security Council to retain the existing criteria for listing as set out in paragraphs 1 to 9 of resolution 1988 (2011) which is now reflected in paragraphs 1 to 7 of resolution 2082 (2012).

Composition and maintenance of the List

(paragraphs 9 and 10 of the report)

6. The Committee considers listing requests on a case-by-case basis, applying the listing criteria outlined in paragraphs 1 to 9 of resolution 1988 (2011), which is now reflected in paragraphs 1 to 7 of resolution 2082 (2012). The Committee, with the support of the Monitoring Team, has made significant progress in improving the quality of identifiers on the 1988 (2011) Sanctions List for effective implementation

of the relevant measures. The Committee agrees that the identifiers should be as strong as possible and include information on nationality when possible.

Impact of the regime

(paragraphs 11 to 14 of the report)

7. The Committee recalls paragraph 36 of resolution 2082 (2012), which directs the Monitoring Team to gather information of instances of non-compliance with the sanctions measures as well as to facilitate, upon request by Member States, assistance on capacity-building, and to provide recommendations to the Committee on actions taken to respond to non-compliance. The Committee emphasizes its commitment to working with all States in order to ensure that the sanctions are implemented effectively.

8. The Committee looks forward to the periodic reporting, as appropriate, by the Monitoring Team on the linkages between those individuals, groups, undertakings and entities eligible for designation under paragraph 1 of resolution 1988 (2011) and Al-Qaida, as mandated under subparagraph (u) of the annex to that resolution as well as under subparagraph (u) of the annex to resolution 2082 (2012).

3. Reconciliation

(paragraphs 15 to 20 of the report)

9. The Committee takes note of all important questions that the Monitoring Team raised in regard to reconciliation, which it will continue to consider while bearing in mind the mandate of the Monitoring Team as set out in resolutions 1988 (2011) and 2082 (2012).

4. Asset freeze

Taliban funding

(paragraphs 21 to 26 of the report)

10. The Committee welcomes the effective relationships of the Monitoring Team with the Financial Transactions and Reports Analysis Centre of Afghanistan and the Afghan Financial Intelligence Unit, which are important to help ensure effective implementation of the asset freeze measures. The Committee would like to request that the work continue.

11. The Committee expects all companies to comply with the sanctions in place and to take appropriate steps to ensure that no funds are being provided to the listed persons and/or entities, irrespective of whether specific rules for contractors are in place.

5. Travel ban

(paragraphs 29 to 44 of the report)

12. The Committee highlights the provisions introduced in paragraphs 9 to 11 of resolution 2082 (2012) concerning travel ban exemptions in support of peace and reconciliation among all Afghans and invites the Afghan authorities to submit to the Committee for its consideration the names of listed individuals for whom it confirms that travel to such specified location or locations is necessary in order to participate in meetings in support of peace and reconciliation.

6. Arms embargo

(paragraphs 45 to 50 of the report)

13. The Committee recalls paragraphs 28 and 29 of resolution 1988 (2011) and paragraphs 32 to 34 of resolution 2082 (2012) on cooperation with the Government of Afghanistan. The Committee underlines its commitment to continue working with the Afghan authorities, with the objective of an evaluation of their input, to ensure the full and effective implementation of the sanctions regime.